



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

October 4, 2018

U.S. Army Corps of Engineers
151 Patton Avenue, Room 208
Asheville, NC 28801-5006

ATTN: David Bailey
NCDOT Coordinator

Subject: **Application for Section 404 Nationwide Permits 14 and Section 401 Water Quality Certification** for the Proposed Improvements to US 70 from SR 3045 (Mount Hope Church Road) to SR 2826 (Birch Creek Road) in Guilford County, Division 7, TIP No. U-2581BA, WBS 34840.1.4

Dear Sir:

The North Carolina Department of Transportation (NCDOT) Improvements to US 70 from SR 3045 (Mount Hope Church Road) to SR 2826 (Birch Creek Road). No detour has been proposed to manage traffic during construction at this stage.

Please see enclosed copies of the Pre-Construction Notification (PCN).

This project is not located in a trout watershed, therefore comments from the NCWRC will not be required prior to authorization by the Corps of Engineers.

This project calls for a letting date of October 15, 2019 and a review date of August 27, 2019; however, the let date may advance as additional funding becomes available.

A copy of this permit application and its distribution list will be posted on the NCDOT Website at: <http://connect.ncdot.gov/resources/Environmental>. If you have any questions or need additional information, please call Michael Turchy at (919) 707-6157.

Sincerely,

Carla Dagnino

for Philip S. Harris III, P.E., C.P.M.
Natural Environment Section Head

Cc:
NCDOT Permit Application Standard Distribution List



Pre-Construction Notification (PCN) Form

For Nationwide Permits and Regional General Permits
(along with corresponding Water Quality Certifications)

September 29, 2018 Ver 3

Please note: fields marked with a red asterisk * below are required. You will not be able to submit the form until all mandatory questions are answered.

Also, if at any point you wish to print a copy of the E-PCN, all you need to do is right-click on the document and you can print a copy of the form.

Below is a link to the online help file.

<https://edocs.deq.nc.gov/WaterResources/0/edoc/624704/PCN%20Help%20File%202018-1-30.pdf>

A. Processing Information

County (or Counties) where the project is located:*

Guilford

Is this project a public transportation project?*

Yes No

This is any publicly funded by municipal, state or federal funds road, rail, airport transportation project.

Is this a NCDOT Project?*

Yes No

(NCDOT only) T.I.P. or state project number:

U-2581BA

WBS #*

34840.1.4

(for NCDOT use only)

1a. Type(s) of approval sought from the Corps:*

- Section 404 Permit (wetlands, streams and waters, Clean Water Act)
 Section 10 Permit (navigable waters, tidal waters, Rivers and Harbors Act)

1b. What type(s) of permit(s) do you wish to seek authorization?*

- Nationwide Permit (NWP)
 Regional General Permit (RGP)
 Standard (IP)

1c. Has the NWP or GP number been verified by the Corps?*

Yes No

This form may be used to initiate the standard/individual permit process with the Corps. Please contact your Corps representative concerning submittals for standard permits. All required items that are not provided in the E-PCN can be added to the miscellaneous upload area located at the bottom of this form.

Nationwide Permit (NWP) Number: 14 - Linear transportation

NWP Numbers (for multiple NWPS):

List all NW numbers you are applying for not on the drop down list.

1d. Type(s) of approval sought from the DWR:*

check all that apply

- 401 Water Quality Certification - Regular
 Non-404 Jurisdictional General Permit
 Individual Permit
 401 Water Quality Certification - Express
 Riparian Buffer Authorization

1e. Is this notification solely for the record because written approval is not required?*

For the record only for DWR 401 Certification:

Yes No

For the record only for Corps Permit:

Yes No

1f. Is this an after-the-fact permit application?*

Yes No

1g. Is payment into a mitigation bank or in-lieu fee program proposed for mitigation of impacts?

If so, attach the acceptance letter from mitigation bank or in-lieu fee program

Yes No

Acceptance Letter Attachment

Click the upload button or drag and drop files here to attach document

FILETYPE MUST BE PDF

1h. Is the project located in any of NC's twenty coastal counties? *

Yes No

1j. Is the project located in a designated trout watershed? *

Yes No

Link to trout information: <http://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Agency-Coordination/Trout.aspx>

B. Applicant Information

1a. Who is the Primary Contact? *

Michael Turchy

1b. Primary Contact Email: *

maturchy@ncdot.gov

1c. Primary Contact Phone: *

(xxx)xxx-xxxx
(919)707-6157

1d. Who is applying for the permit? *

Owner Applicant (other than owner)
(Check all that apply)

Is there an Agent/Consultant for this project? *

Yes No

2. Owner Information

2a. Name(s) on recorded deed: *

NCDOT

2b. Deed book and page no.:

2c. Responsible party:

(for Corporations)

2d. Address *

Street Address

Birch Ridge Dr

Address Line 2

City

Raleigh

Postal / Zip Code

27606

State / Province / Region

NC

Country

US

2e. Telephone Number: *

(xxx)xxx-xxxx

(919)707-6100

2f. Fax Number:

(xxx)xxx-xxxx

2g. Email Address: *

maturchy@ncdot.gov

C. Project Information and Prior Project History

1. Project Information

1a. Name of project: *

U-2581BA

1b. Subdivision name:

(if appropriate)

1c. Nearest municipality / town: *

Greensboro

2. Project Identification

2a. Property Identification Number:

(tax PIN or parcel ID)

2b. Property size:

(in acres)

2c. Project Address

Street Address

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

2d. Site coordinates in decimal degrees

Please collect site coordinates in decimal degrees. Use between 4-6 digits (unless you are using a survey-grade GPS device) after the decimal place as appropriate, based on how the location was determined. (For example, most mobile phones with GPS provide locational precision in decimal degrees to map coordinates to 5 or 6 digits after the decimal place.)

Latitude: *

36.086563
ex: 34.208504

Longitude: *

-79.6080171
-77.796371

3. Surface Waters

3a. Name of the nearest body of water to proposed project: *

UT Little Alamance Creek

3b. Water Resources Classification of nearest receiving water: *

WS-IV, NSW

[Surface Water Lookup](#)

3d. Please provide the 12-digit HUC in which the project is located. *

03030002

3c. What river basin(s) is your project located in? *

Cape Fear

[River Basin Lookup](#)

4. Project Description and History

4a. Describe the existing conditions on the site and the general land use in the vicinity of the project at the time of this application: *

N/A

4b. Have permits or certifications been requested or obtained for this project (including all prior phases) in the past? *

Yes No Unknown

4d. Attach an 8 1/2 X 11 excerpt from the most recent version of the USGS topographic map indicating the location of the project site. (for DWR)

[Click the upload button or drag and drop files here to attach document](#)

File type must be pdf

4e. Attach an 8 1/2 X 11 excerpt from the most recent version of the published County NRCS Soil Survey map depicting the project site. (for DWR)

[Click the upload button or drag and drop files here to attach document](#)

File type must be pdf

4f. List the total estimated acreage of all existing wetlands on the property:

1.0 ac

4g. List the total estimated linear feet of all existing streams on the property:

(intermittent and perennial)

1062 lf

4h. Explain the purpose of the proposed project: *

Widening road

4i. Describe the overall project in detail, including indirect impacts and the type of equipment to be used: *

N/A

4j. Please upload project drawings for the proposed project.

[Click the upload button or drag and drop files here to attach document](#)

U2581BA Preliminary plans 9_2018.pdf

162.48KB

File type must be pdf

5. Jurisdictional Determinations

5a. Have the wetlands or streams been delineated on the property or proposed impact areas? *

Yes

No

Unknown

Comments:

5b. If the Corps made a jurisdictional determination, what type of determination was made? *

Preliminary Approved Not Verified Unknown N/A

Corps AID Number:

Example: SAW-2017-99999

5c. If 5a is yes, who delineated the jurisdictional areas?

Name (if known):

Agency/Consultant Company:

Other:

5d. If yes, list the dates of the Corps jurisdictional determinations or State determinations and attach documentation.

5d1. Jurisdictional determination upload

Click the upload button or drag and drop files here to attach document

File type must be PDF

6. Future Project Plans

6a. Is this a phased project? *

Yes No

Are any other NWP(s), regional general permit(s), or individual permits(s) used, or intended to be used, to authorize any part of the proposed project or related activity? This includes other separate and distant crossing for linear projects that require Department of the Army authorization but don't require pre-construction notification.

D. Proposed Impacts Inventory

1. Impacts Summary

1a. Where are the impacts associated with your project? (check all that apply):

Wetlands Streams-tributaries Buffers
 Open Waters Pond Construction

2. Wetland Impacts

If there are wetland impacts proposed on the site, then complete this question for each wetland area impacted.

"W." will be used in the table below to represent the word "wetland".

2a. Site # * (?)	2a1 Reason * (?)	2b. Impact type * (?)	2c. Type of W. *	2d. W. name *	2e. Forested *	2f. Type of Jurisdiction * (?)	2g. Impact area *
fill	fill	P	Headwater Forest	WB	Yes	Corps	0.250 (acres)

2g. Total Temporary Wetland Impact

0.000

2g. Total Permanent Wetland Impact

0.250

2g. Total Wetland Impact

0.250

2h. Comments:

3. Stream Impacts

If there are perennial or intermittent stream impacts (including temporary impacts) proposed on the site, then complete this question for all stream sites impacted.

"S." will be used in the table below to represent the word "stream".

	3a. Reason for impact * (?)	3b. Impact type *	3c. Type of impact *	3d. S. name *	3e. Stream Type * (?)	3f. Type of Jurisdiction *	3g. S. width *	3h. Impact length *
S1	fill	P	Culvert	UT little Alamance Cre	Perennial	Corps	4 Average (feet)	100 (linear feet)

** All Perennial or Intermittent streams must be verified by DWR or delegated local government.

3i. Total jurisdictional ditch impact in square feet:

0

3i. Total permanent stream impacts:

100

3i. Total temporary stream impacts:

0

3i. Total stream and ditch impacts:

100

3j. Comments:

E. Impact Justification and Mitigation

1. Avoidance and Minimization

1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing the project:*

Design Standards for Sensitive Watersheds will be implemented during project construction

1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques:*

The NCDOT will attempt to avoid and minimize impacts to streams and wetlands to the greatest extent practicable in choosing a preferred alternative and during project design. At this time, no final decisions have been made with regard to the location or design of the preferred alternative.

2. Compensatory Mitigation for Impacts to Waters of the U.S. or Waters of the State

2a. Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State?

Yes No

2b. If this project DOES NOT require Compensatory Mitigation, explain why:

NC Stream Temperature Classification Maps can be found under the Mitigation Concepts tab on the Wilmington District's RIBITS website.

F. Stormwater Management and Diffuse Flow Plan (required by DWR)

*** Recent changes to the stormwater rules have required updates to this section .***

1. Diffuse Flow Plan

1a. Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules?

Yes No

1b. All buffer impacts and high ground impacts require diffuse flow or other form of stormwater treatment. If the project is subject to a state implemented riparian buffer protection program, include a plan that fully documents how diffuse flow will be maintained.

All Stormwater Control Measures (SCM)s must be designed in accordance with the NC Stormwater Design Manual. Associated supplement forms and other documentation shall be provided.

What type of SCM are you providing?

- Level Spreader
- Vegetated Conveyance (lower SHWT)
- Wetland Swale (higher SHWT)
- Other SCM that removes minimum 30% nitrogen
- Proposed project will not create concentrated stormwater flow through the buffer

(check all that apply)

For a list of options to meet the diffuse flow requirements, click [here](#).

Diffuse Flow Documentation

Click the upload button or drag and drop files here to attach document

File type must be PDF

2. Stormwater Management Plan

2a. Is this a NCDOT project subject to compliance with NCDOT's Individual NPDES permit NCS000250?*

Yes No

2b. Does this project meet the requirements for low density projects as defined in 15A NCAC 02H .1003(2)?*

Yes No

To look up low density requirement click here [15A NCAC 02H .1003\(2\)](#).

Comments:

G. Supplementary Information

1. Environmental Documentation

1a. Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land? *

Yes No

1b. If you answered "yes" to the above, does the project require preparation of an environmental document pursuant to the requirements of the National or State (North Carolina) Environmental Policy Act (NEPA/SEPA)? *

Yes No

1c. If you answered "yes" to the above, has the document review been finalized by the State Clearing House? (If so, attach a copy of the NEPA or SEPA final approval letter.) *

Yes No

Comments: *

N/A

2. Violations (DWR Requirement)

2a. Is the site in violation of DWR Water Quality Certification Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), or DWR Surface Water or Wetland Standards or Riparian Buffer Rules (15A NCAC 2B .0200)? *

Yes No

3. Cumulative Impacts (DWR Requirement)

3a. Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality? *

Yes No

3b. If you answered "no," provide a short narrative description.

Due to the minimal transportation impact resulting from this bridge replacement, this project will neither influence nearby land uses nor stimulate growth. Therefore, a detailed indirect or cumulative effects study will not be necessary.

4. Sewage Disposal (DWR Requirement)

4a. Is sewage disposal required by DWR for this project? *

Yes No NA

5. Endangered Species and Designated Critical Habitat (Corps Requirement)

5a. Will this project occur in or near an area with federally protected species or habitat? *

Yes No

5b. Have you checked with the USFWS concerning Endangered Species Act impacts? *

Yes No

5d. Is another Federal agency involved? *

Yes No Unknown

5e. Is this a DOT project located within Division's 1-8? *

Yes No

5f. Will you cut any trees in order to conduct the work in waters of the U.S.? *

Yes No

5g. Does this project involve bridge maintenance or removal? *

Yes No

Link to the NLEB SLOPES document: http://saw-reg.usace.army.mil/NLEB/1-30-17-signed_NLEB-SLOPES&apps.pdf

5h. Does this project involve the construction/installation of a wind turbine(s)? *

Yes No

5i. Does this project involve (1) blasting, and/or (2) other percussive activities that will be conducted by machines, such as jackhammers, mechanized pile drivers, etc.? *

Yes No

5j. What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat? *

USFWS Website

Consultation Documentation Upload

Click the upload button or drag and drop files here to attach document

File type must be PDF

6. Essential Fish Habitat (Corps Requirement)

6a. Will this project occur in or near an area designated as an Essential Fish Habitat? *

Yes No

6b. What data sources did you use to determine whether your site would impact an Essential Fish Habitat? *

NMF

7. Historic or Prehistoric Cultural Resources (Corps Requirement)

Link to the State Historic Preservation Office Historic Properties Map (does not include archaeological data: <http://gis.ncdcr.gov/hpweb/>)

7a. Will this project occur in or near an area that the state, federal or tribal governments have designated as having historic or cultural preservation status (e.g., National Historic Trust designation or properties significant in North Carolina history and archaeology)? *

Yes No

7b. What data sources did you use to determine whether your site would impact historic or archeological resources? *

MCDC

7c. Historic or Prehistoric Information Upload

Click the upload button or drag and drop files here to attach document

File must be PDF

8. Flood Zone Designation (Corps Requirement)

Link to the FEMA Floodplain Maps: <https://msc.fema.gov/portal/search>

8a. Will this project occur in a FEMA-designated 100-year floodplain? *

Yes No

8c. What source(s) did you use to make the floodplain determination? *

FEMA

Miscellaneous

Comments

Miscellaneous attachments not previously requested.

Click the upload button or drag and drop files here to attach document

U-2581BA Cover Letter signed.pdf	50.88KB
U-2581BA State MCD Checklist.pdf	480.86KB
U-2581BA Cover Letter signed.pdf	77.21KB

File must be PDF or KMZ

Signature

*

By checking the box and signing below, I certify that:

- I have given true, accurate, and complete information on this form;
- I agree that submission of this PCN form is a "transaction" subject to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I agree to conduct this transaction by electronic means pursuant to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I understand that an electronic signature has the same legal effect and can be enforced in the same way as a written signature; AND
- I intend to electronically sign and submit the PCN form.

Full Name: *

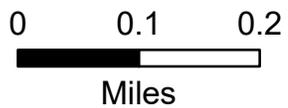
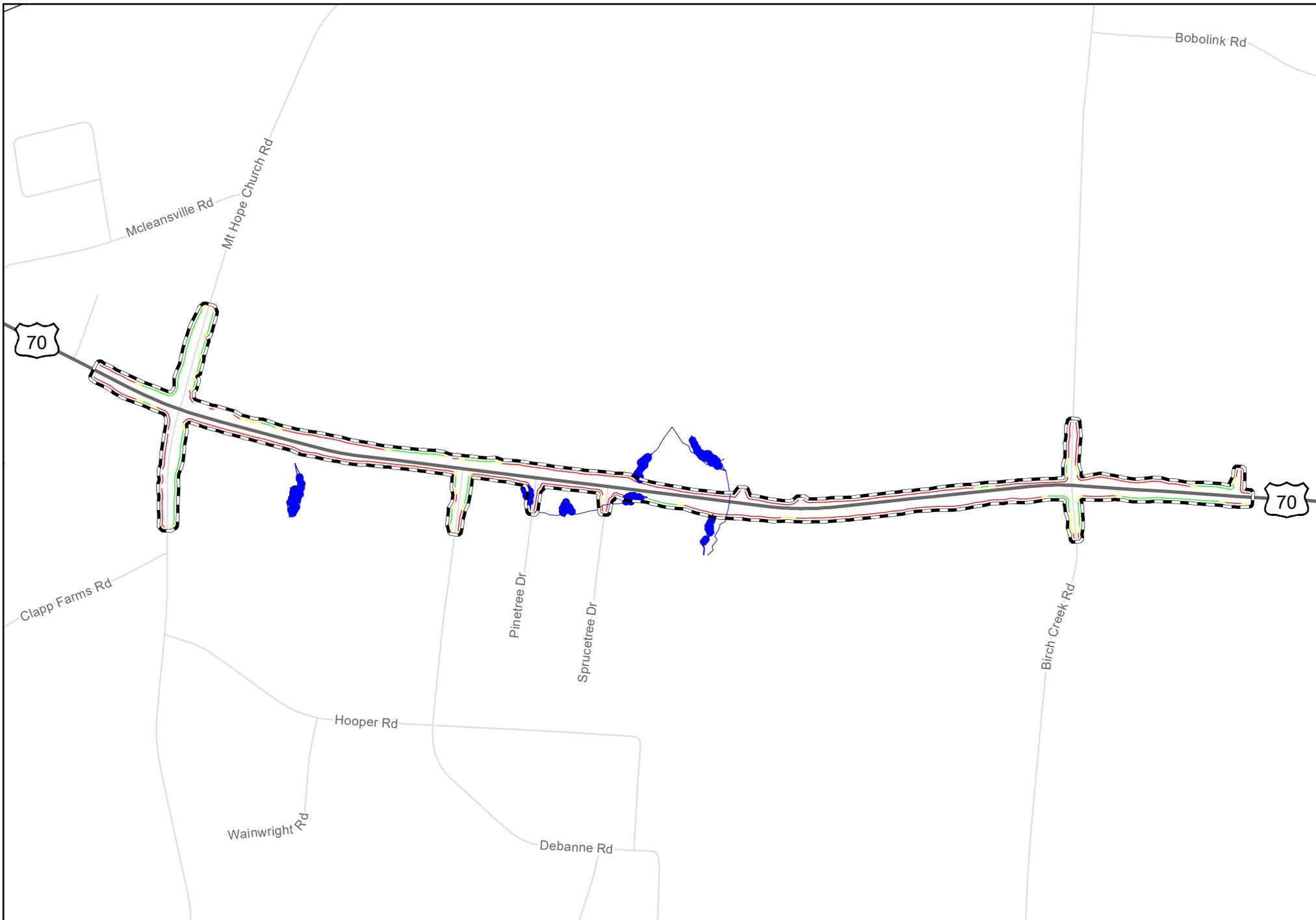
Philip S. Harris III

Signature

Philip S. Harris III

Date

10/4/2018

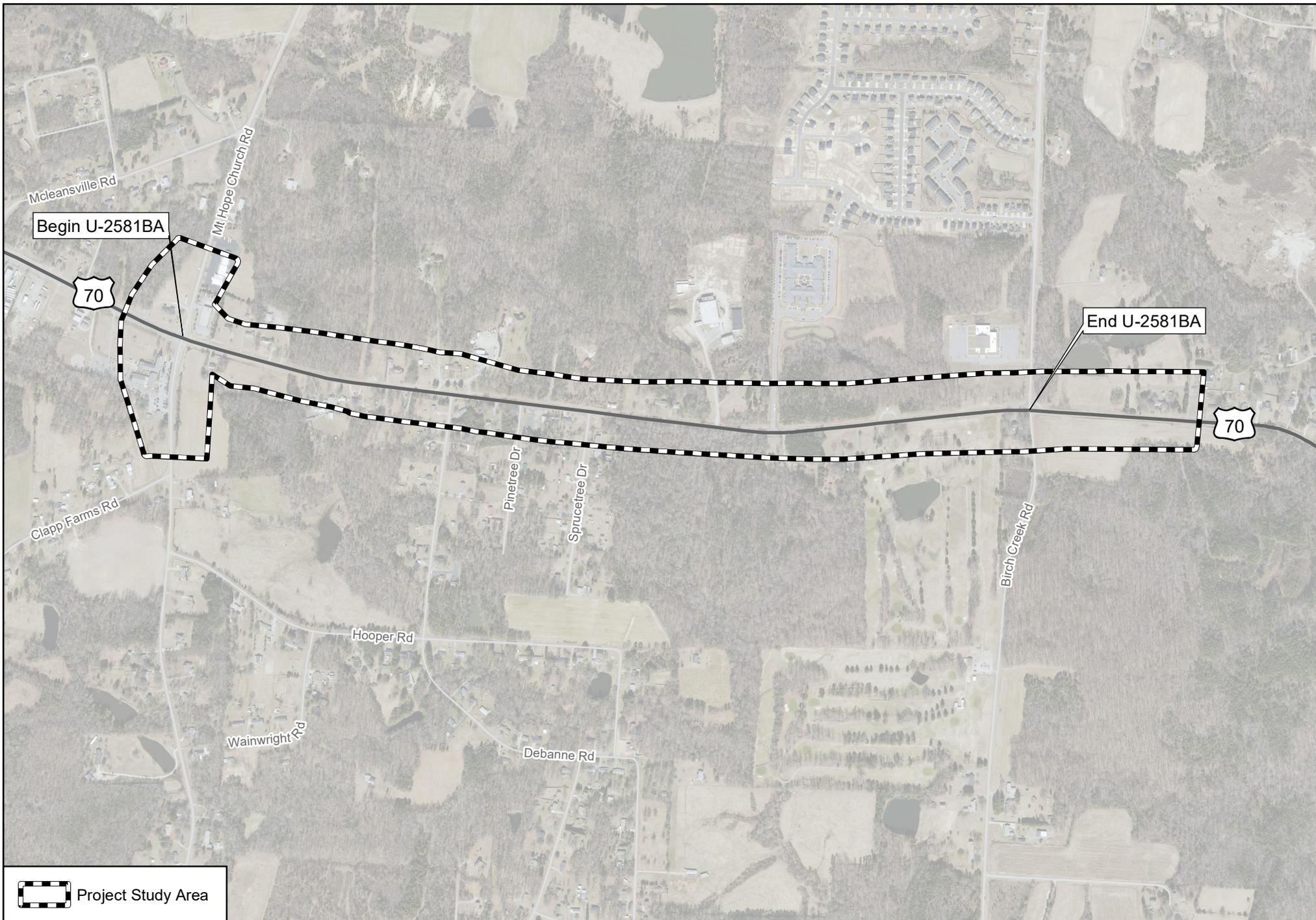


Slope Stakes +25 Feet

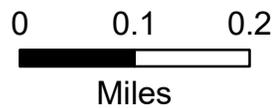
Prepared by: VHB Date: August 2018

STIP No. U-2581BA
 US 70 from SR 2819/3045 (Mt. Hope Church Rd)
 to SR 2826/3175 (Birch Creek Rd)
 Guilford County





 Project Study Area



Project Study Area

Prepared by: VHB Date: June 2018

STIP No. U-2581BA
 US 70 from SR 2819/3045 (Mt. Hope Church Rd)
 to SR 2826/3175 (Birch Creek Rd)
 Guilford County



MINIMUM CRITERIA DETERMINATION CHECKLIST

The following questions provide direction in determining when the Department is required to prepare environmental documents for state-funded construction and maintenance activities. Answer questions for Parts A through C by checking either “Yes” or “No”. Complete Part D of the checklist when Minimum Criteria Rule categories #8, 12(i) or #15 are used.

TIP Project No.:U-2581BA

State Project No.: WBS 34840.1.4

Project Location: US 70 from Mt. Hope Church Road to Birch Creek Road, Guilford County

Project Description: U-2581BA is in Guilford County, which is part of Division 7. The specific location of this project is US 70 from SR 3045/SR 2819 (Mt. Hope Church Road) to SR 3175/SR 2826 (Birch Creek Road). The purpose of this project is to widen the existing three-lane roadway to a five-lane facility to relieve existing and projected congestion along the project length.

Anticipated Permit or Consultation Requirements: USACE Nationwide Permit 14

Special Project Information: NCDOT Division 7 has requested to restart a portion of the larger U-2581B project, but to limit it to approximately 1.2 miles of the original corridor (BA); subsequent environmental review and design stages will follow for the BB and BC sections of U-2581B. Logical termini for this project are present at its starting point, an existing five-lane section west of SR 3045/SR 2819 (Mt. Hope Church Road), and its end of SR 3175/SR 2826 (Birch Creek Road), which is a regional planning route.

PART A: MINIMUM CRITERIA

Item 1 to be completed by the Engineer.

1. Is the proposed project listed as a type and class of activity allowed under the Minimum Criteria Rule in which environmental documentation is not required?

YES

NO

If the answer to number 1 is “no”, then the project does not qualify as a minimum criteria project. A state environmental assessment is required.

If yes, under which category? **8b**

If either category #8, #12(i) or #15 is used complete Part D of this checklist.

PART B: MINIMUM CRITERIA EXCEPTIONS

Items 2 – 4 to be completed by the Engineer.

2. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse air quality impacts?
3. Will the proposed activity have secondary impacts or cumulative impacts that may result in a significant adverse impact to human health or the environment?
4. Is the proposed activity of such an unusual nature or does the proposed activity have such widespread implications, that an uncommon concern for its environmental effects has been expressed to the Department?

YES

NO

Item 5-8 to be completed by Division Environmental Officer.

5. Does the proposed activity have a significant adverse effect on wetlands; surface waters such as rivers, streams, and estuaries; parklands; prime or unique agricultural lands; or areas of recognized scenic, recreational, archaeological, or historical value?
6. Will the proposed activity endanger the existence of a species on the Department of Interior's threatened and endangered species list?
7. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse water quality or ground water impacts?

- | | YES | NO |
|---|--------------------------|-------------------------------------|
| 8. Is the proposed activity expected to have a significant adverse effect on long-term recreational benefits or shellfish, finfish, wildlife, or their natural habitats | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If any questions 2 through 8 are answered “yes”, the proposed project may not qualify as a Minimum Criteria project. A state environmental assessment (EA) may be required. For assistance, contact:

Manager, Environmental Analysis Unit
 1598 Mail Service Center
 Raleigh, NC 27699-1598
 (919) 707 – 6000
 Fax: (919) 212-5785

PART C: COMPLIANCE WITH STATE AND FEDERAL REGULATIONS

- | <i>Items 9- 12 to be completed by Division Environmental Officer.</i> | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 9. Is a federally protected threatened or endangered species, or its habitat, likely to be impacted by the proposed action? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Does the action require the placement of temporary or permanent fill in waters of the United States?
<i>NCDOT will be pursuing the required USACE/DWR permits.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Does the project require the placement of a significant amount of fill in high quality or relatively rare wetland ecosystems, such as mountain bogs or pine savannahs? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Is the proposed action located in an Area of Environmental Concern, as defined in the coastal Area Management Act? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | <i>Items 13 – 15 to be completed by the Engineer.</i> | | |
|--|--------------------------|-------------------------------------|
| 13. Does the project require stream relocation or channel changes? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Cultural Resources

- | | | |
|---|--------------------------|-------------------------------------|
| 14. Will the project have an “effect” on a property or site listed on the National Register of Historic Places? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Will the proposed action require acquisition of additional right of way from publicly owned parkland or recreational areas? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Questions in Part “C” are designed to assist the Engineer and the Division Environmental Officer in determining whether a permit or consultation with a state or federal resource agency may be required. If any questions in Part “C” are answered “yes”, follow the appropriate permitting procedures prior to beginning project construction.

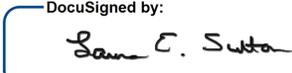
PART D:(To be completed when either category #8, 12(i) or #15 of the rules are used.)

Items 16- 22 to be completed by Division Environmental Officer.

- | | |
|--|---------------------------|
| 16. Project length: | <u>1.2 miles</u> |
| 17. Right of Way width: | <u>Varies 120'-135'</u> |
| 18. Project completion date: | <u>2021</u> |
| 19. Total acres of newly disturbed ground surface: | <u>Approx. 8.5 acres</u> |
| 20. Total acres of wetland impacts: | <u>Approx. 0.25 acres</u> |
| 21. Total linear feet of stream impacts: | <u>Approx. 100'</u> |
| 22. Project purpose: | <u>Congestion Relief</u> |

If Part D of the checklist is completed, send a copy of the entire checklist document to:

David B. Harris, PE
State Roadside Environmental Engineer
Mail Service Center 1557
Raleigh, NC 27699-1557
(919) 707-2925
Fax: (919) 715-2554
Email: davidharris@ncdot.gov

Reviewed by:  Date: 9/12/2018
AE35E2E6727640E
Laura Sutton, NCDOT PMU; Lead Engineer

 Date: 9/12/18
Lauren Triebert, VHB Engineering; Consultant Engineer